

Equality Impact and Outcome Assessment (EIA) Template - 2019

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users¹. They analyse how all our work as a council might impact differently on different groups². They help us make good decisions and evidence how we have reached these decisions³.

See end notes for full guidance. Either hover the mouse over the end note link (eg: Age¹³) or use the hyperlinks ('Ctrl' key and left click).

For further support or advice please contact:

- **BHCC: Communities, Equality and Third Sector Team on ext 2301**
- **CCG: Engagement and Equalities team (Jane Lodge/Debbie Ludlam)**

1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed⁴.

Title of EIA⁵	Consultation on Council's Admission Arrangements 2022/23	ID No.⁶ FCL19	
Team/Department⁷	Families, Children & Learning – Education & Skills		
Focus of EIA⁸	<p>Any proposed changes to the council's admission arrangements which includes reducing a school's Published Admission Number (PAN) is required to be consulted upon for a minimum of 6 weeks between October and 31st January approximately 18 months in advance of taking effect. Admission arrangements and each school's PAN for September 2022 have been consulted upon in October/November 2020 with the results of this consultation being presented to the Children Young People & Skills Committee in January 2021.</p> <p>The aim of the consultation process is to seek the views of adjoining neighbouring local authorities, schools' governing bodies, parents of children between the age of 2 and 18 and any other people who are interested in the admission arrangements.</p>		

Significant changes proposed in the consultation are to reduce the number of surplus school places in the city which would bring the percentage of spare capacity closer to or within the recommended range by the Department for Education of between 5 – 10%.

Pupil numbers in the city have been falling and are forecast to continue to fall over the next few years. Too many spare school places in the city will result in some schools not getting enough pupils attending. As schools are mostly funded on pupil numbers if schools don't have enough pupils attending, they may not be able to operate in a financially efficient way and risk entering a budget deficit. Ultimately a school, or schools, could be required to close. The law prohibits infant school classes larger than 30 pupils and if schools are required to operate small classes, they may not be able to afford to employ the required number of teachers.

However, through the consultation we have heard of some schools who are able to run their school with unfilled places and are not in financial difficulty. Therefore, careful consideration will need to be made when looking at proposals for individual schools.

The council's main aim with these proposals is to reduce the risk of a school or schools being required to close and an increase in schools with a budget deficit. Whilst ensuring that the council maintains the physical accommodation to help it cater with any future rise in pupil numbers.

In drawing up proposals the council considered the inclusion of 3 and 4 form entry schools for a reduction in PAN as larger schools can reduce their published admission number without a significant effect on their budget. It is worth noting though that a 4-form entry infant school has a total of 12 classes and a 4 form entry primary school has 28 classes.

Reducing these schools alone would not achieve the required number of school places nor would it be likely to be ultimately permissible when the appeal process for governing bodies was considered. Therefore, additional schools have been identified in areas where fewer children currently live and where children are drawn from a large geographical area. Anecdotally one form entry primary schools are at greater risk of having difficulty managing financially. However, there is a benefit to capping the pupil numbers to have one full class and one teacher in each year group rather than having the potential need to run two small classes if the number of pupils allocated is above 30 and then be required to employ two teachers.

We are aware that many parents have expressed a wish to provide their child with a specific type of education. Whether that be in a large school, infant school or in small classes. Whilst parents are not able to express an absolute choice for a school, there is a need to be assured that there are no equality implications in limiting the range of schools in an area. Parents can express three separate preferences for the place they would wish their child to attend. Ultimately the allocation of a place is

made in line with the council's published admission arrangements.

This Equalities Impact Assessment draws in part from responses to the consultation and is looking at the potential impact of the proposals to reduce the Published Admission Numbers of the schools mentioned in the committee report so as to inform decision making.

3. Review of information, equality analysis and potential actions

Groups to assess	What do you know ⁹ ? Summary of data about your service-users and/or staff	What do people tell you ¹⁰ ? Summary of service-user and/or staff feedback	What does this mean ¹¹ ? Impacts identified from data and feedback (actual and potential)	What can you do ¹² ? All potential actions to: • advance equality of opportunity, • eliminate discrimination, and • foster good relations
Age ¹³	<p>Changes will first affect parents of children born between 1/09/2017 and 31/08/2018 who are due to start school in September 2022.</p> <p>There are projected to be 2570 children in this age bracket, and it is estimated 2313 will require a mainstream school place.</p> <p>Goldstone, Moulsecocomb & West Blatchington Primary schools all have nursery classes attached and there can be strong links between these and the main school.</p> <p>Reducing the PAN for Downs Infant school and Stanford Infant School will inevitably mean consulting to reduce the</p>	<p>If proposed reduction takes place Moulsecocomb & West Blatchington will have more nursery places than places available in their reception class.</p> <p>A reduction in the PAN at Goldstone could discourage parents from applying for a nursery place at the school.</p>	<p>A disparity between nursery & reception places may discourage some parents from choosing the nursery and could impact on future viability of these classes.</p> <p>It is known that nursery classes can lead to a smoother transition to the Reception class and allow for less impact on the progress of learning.</p> <p>Nursery classes can benefit disadvantaged families where the availability and attendance provide good learning opportunities to those children and benefit those offered a place in the Reception class.</p> <p>Any proposed reduction</p>	<p>The council will need to consider how a change in PAN will impact on nursery provision at West Blatchington, Goldstone & Moulsecocomb Primary Schools because it could make this option less appealing to parents because their child may not be reasonably expected to receive a place at the school after attending the nursey provision.</p> <p>Consideration must be given to the impact on linked junior schools when considering the proposal to reduce infant school numbers.</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	linked junior school intake in 3 years' time.		in PAN for infant schools will also have an effect on the linked junior school.	
Disability¹⁴	<p>Children with Special Educational Needs and Disabilities (SEND) who have an Education, Health & Care Plan would be placed in school under the SEND code of Practice by the SEN team and normal admission arrangements and PANs would not apply. This includes being offered a place above the school's PAN if necessary.</p> <p>West Blatchington has an Autistic, Spectrum Condition (ASC) unit attached to the mainstream school. The number of places available in the unit would be unaffected by the reduction in PAN.</p>	<p>Many pupils with SEND attend mainstream schools. A reduction in pupil numbers will reduce the school's budget and consequently reduce the funding available that can be used to support pupils with additional needs.</p> <p>Schools spoke of the benefit of being able to offer a wider range of experiences for the school community with the inclusion of children with a broad range of needs. However, they cautioned about the potential negative impact that can occur when there is a higher proportion of children with additional needs in a class or in a school's community.</p> <p>Larger schools that</p>	<p>Parents with disabled children or have a disability themselves may not be able to travel a distance to take their child to a school place.</p> <p>Reducing to one class per year group at West Blatchington could have implications for pupils in the ASC unit not being able to benefit from the opportunities of being part of the mainstream class which is part of the school's working model.</p>	<p>There needs to be enough places within a reasonable distance of families including those families who have someone with a disability living with them.</p> <p>Ensure pupils with SEND are not adversely impacted by the reduction of PAN in any school. This will include considering if enough places are available in other schools in the city.</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
		<p>traditionally take higher numbers of SEND pupils will be less able to meet the needs of these children with a reduced number of classes and reduced budget.</p> <p>There can be 4 pupils in the ASC unit in each cohort at West Blatchington and it would be difficult to integrate these 4 pupils into one class of 30 particularly if there are also other pupils with additional needs already in class. This could potentially mean having up to 34 children in one class.</p> <p>General concerns were expressed that a school whose PAN was reduced would be negatively impacted by the narrowing of the 'catchment area' from where the school drew its pupils. The implication being that the</p>		

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
		range of pupils who were subsequently able to attend the school would be less wide and a detriment to the experience of the pupils attending the school.		
Gender reassignment¹⁵	n/a			
Pregnancy and maternity¹⁶		Parents who are pregnant or on maternity leave may find it difficult to get older children to school.	Reducing PAN at some schools may mean slightly longer travel times for some families.	
Race/ethnicity¹⁷ Including migrants, refugees and asylum seekers	The percentage of ethnic minority families with children attending schools across all planning areas varies from 33% in West Blatchington & North Hangleton planning area and Central Hove planning area down to 21% in the Portslade planning area. These percentages are relatively similar across the primary year groups however, in both West	Schools situated in areas of low ethnic minority families but that draw pupils from a wider geographical area are more likely to have a greater mix of pupils from different ethnic backgrounds.	In some allocation years a higher percentage of pupils from ethnic minorities apply late or are directed to a school that was not a preference, however the percentage of ethnic minority pupils who received a place at their first preference school is comparable with the percentage of all families receiving their first preference school in each of the 2018 and	Important to ensure that there are some surplus places in each planning area so there are local school places available for any late applicants and to accommodate pupils who can't secure a place at their preferred school due to the distance tie break. All schools are expected to deliver a rich curriculum suitable to all pupils who attend the

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>Blatchington & North Hangleton area and Portslade planning area the data available for pre-school pupils indicates an increased percentage for this cohort.</p> <p>There is no comprehensive data available for the cohort due to start school in September 2022.</p> <p>In 2019 allocation year 20% of all applications were from ethnic minority families and there is no ethnicity information for a further 27% of applicants. 30% of late applications were submitted by ethnic minority families and for a further 30% there is no ethnicity information. 90% of ethnic minority families who applied received their first preference school.</p>		<p>2019 cohorts.</p> <p>Both Downs and Balfour schools draw a high percentage of ethnic minority pupils living further from the school. If the PAN is reduced as proposed and these schools are oversubscribed, a higher percentage of pupils from ethnic minority families could be refused a place due to the distance tie break.</p>	<p>school. Schools are expected to celebrate the experiences of families in the city and from other areas. Therefore, the experiences of migrant and asylum seekers will be known and understood even if the school's community is less diverse.</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>In 2018 allocation year 26% of all applications were from ethnic minority families and there is no ethnicity information for a further 9% of applicants. 41% of late applications submitted were from ethnic minority families and for a further 13% there is no ethnicity information. 87% of ethnic minority families who applied received their first preference school.</p> <p>The percentage of ethnic minority KS1 pupils currently attending the schools indicates that if the PAN for the existing cohorts had been reduced as proposed, the percentage of Ethnic Minority pupils attending these schools would not generally be affected. The most significant difference would be seen</p>			

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	at Balfour Primary School where an average of 17% of the 90 closest pupils attending the school come from ethnic minority families compared to 32% of the remaining pupils who live further from the school and Downs Infant School where an average of 24% of the 90 closest pupils attending the school come from ethnic minority families compared to 35% of the remaining pupils who live further from the school.			
Religion or belief¹⁸	There are only Church of England and Catholic faith schools within the city. These schools can prioritise children of the faith above other children. A number of these schools do prioritise children of other faiths above children of no faith. None of the faith schools are proposing a reduction in	There is little information on this. Some parents will seek a secular education for their child whilst others will want their children taught in line with their religious belief. Parents expressed concerns where they felt that the opportunity for a secular education would not be possible. Benfield	All schools identified for a reduction in PAN are community schools and this could potentially have a disproportionate impact on pupils with no faith.	Faith schools in the city are responsible for their own admission arrangements and the council cannot consult on changes to their PAN. The council will need to ensure that where PAN's are reduced there are sufficient secular school places for the number of pupils in these areas.

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>PAN for September 2022.</p> <p>24% of first preference applications for September 2020 were for church aided schools and 76% expressed a first preference for secular schools.</p>	<p>Primary school is the only secular 2 form entry school in south Portslade. Parents at Stanford Infant school were concerned that the only other viable options in proximity to the school were schools with a faith designation.</p>		
Sex/Gender¹⁹	<p>There are no single sex, maintained schools in the city. Admission arrangements do not take into consideration the gender of the child.</p>			
Sexual orientation²⁰	<p>Admission arrangements do not take into consideration the sexual orientation of the child or parents.</p>	<p>This can have implications about whether parents apply for faith schools or secular schools.</p> <p>Some parents expressed concerns that they would not be able to obtain a place in a school that supported their own family dynamic such as same sex parents and the sexual orientation of their child.</p>	<p>All schools identified for a reduction in PAN are community schools and this could potentially have a disproportionate impact on pupils not wanting to attend a faith school.</p> <p>Some parents expressed a concern that the proposals to reduce the PAN of various schools will limit their opportunity</p>	<p>The council will need to ensure that where PAN's are reduced there are sufficient secular school places for the number of pupils in these areas.</p> <p>Schools are expected to celebrate the experiences of families in the city and from other areas. Therefore, the experiences of bisexual, gay and lesbian people</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
			to attend a school that they see as being supportive of them or their child's sexual orientation.	will be known and understood even if the school's community is less diverse.
Marriage and civil partnership²¹	n/a			
Community Cohesion²²	Reducing the PAN at popular oversubscribed schools would potentially reduce the distance from which the school is available due to home to school distance being the deciding tie break. The list of schools identified are central to various different communities in the city. Some are situated in communities with a higher level of deprivation than others. 2015 indices of multiple deprivation identify Local Super Output Areas (LSOAs) in West Blatchington & North Hangleton and City East	House prices surrounding popular schools can be inflated, due to increased demand on accommodation close to popular schools. Schools that are situated in areas not indicated as particularly deprived but are close to areas of higher deprivation. Reducing the PAN at these schools would reduce the cut off distance with the consequence that pupils living further away in areas of greater deprivation may not be able to get a place at the schools.	Can have an implication on the pupils offered a place at these schools as families who cannot afford to move close to oversubscribed schools are unable to obtain a place there. A reduced intake of pupils being able to attend schools from more deprived areas can affect the comprehensive nature of the school's population. Reducing the PAN for schools such as Downs and Brunswick which historically draw pupils from greater distances	Consideration of admission arrangements and tie break to remove advantage to families who are in the financial position to move close to popular schools in order to increase chance of obtaining a place. Responses to this consultation need to be considered based on the content not just quantity of replies as some areas in the city due to the nature of the community will provide significantly more replies and in a variety of ways. Take consideration of the

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
	<p>planning areas as some of the most deprived in the city and LSOAs in central city as least deprived.</p> <p>Analysis of KS1 pupils from Jan 20 school census shows that the pupils living furthest from Downs, Brunswick and Benfield and attending these schools contain a higher percentage of pupils eligible for free school meals (which is an indication of deprivation) compared to the pupils living closer to the school.</p>	<p>This narrowing of those families able to attend the school will jeopardise the comprehensive/community feel of the school and this was expressed strongly by those who attended the Goldstone Primary school consultation. A recognised strength of the school from those who contributed was the strong community feel of the school.</p> <p>Parents from some socio-economic groups are better able to lobby and to instigate a cohesive community response to the proposals that may disproportionately influence the decision making about which schools will have their PAN reduced.</p>	<p>and admit close to the existing PAN could have a disproportionate effect on the ability of pupils eligible for free school meals able to obtain a place at these schools.</p> <p>There could be an increase in pupils living in deprived areas who are unable to attend a school of preference which is further away who will consequently attend their local school which increases the proportion of children eligible for free school meals at the schools. Pupil's attainment is improved if the school has either a high proportion or a low proportion of children eligible for free school meals so this could either have a positive or negative affect on these pupils depending on the proportion of these pupils</p>	<p>impact of any change in PAN may have on a school in relation to the composition of pupil cohorts and their families to promote a comprehensive education offer.</p> <p>Ensure that there are sufficient school places in all areas of the city so that pupils unable to secure a place at the school of choice have the opportunity to attend a local school.</p> <p>Consideration of the potential impact on schools due to change in free school meals eligible children attending schools particularly in more deprived areas of the city.</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
			at the school.	
Families with English as additional language	<p>The percentage of pupils with English as an additional language varies across the planning areas from 21% of the primary school cohort in West Blatchington & North Hangleton to 10% in Portslade planning areas.</p> <p>The percentage of KS1 pupils with English as an additional language currently attending the identified schools indicates that if the PAN for the existing cohorts had been reduced as proposed, the percentage of pupils with English as an additional language attending these schools would not significantly be affected.</p>	<p>It is reported that many families with English as an additional language were not able to fully participate in the consultation, despite the engagement with the Ethnic Minority Achievement Service and other groups.</p> <p>Parents were able to request support to complete the consultation response form.</p> <p>The changing housing situation of many of these families means that families can't predict whether they will be affected by the potential changes to school PANs in 2022.</p> <p>For some families, the unpredictability of the housing situation is their</p>	<p>Families with pupils who have English as an additional language are proportionally more likely to apply late which significantly reduces their change of being offered a place at an oversubscribed school.</p> <p>The higher number of families with English as an additional language applying late could be contributed to several factors such as these families moving into the city outside the cut off dates for the main admission rounds. This could be due to these families are not being aware of when to apply for school places as they are less likely to understand the promotional information</p>	<p>Important to ensure that there are still surplus places in each planning area so late applicants and pupils moving mid-year can be offered a place at a local school. This is particularly important for schools in areas with a high proportion of these pupils such as in the West Blatchington/North Hangleton planning area.</p> <p>Continue to work with EMAS to increase engagement with the admissions process for families with English as an additional language.</p>

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
		<p>main concern and maybe school places are only a secondary importance.</p> <p>Families may also consider admission arrangements to be an unusual concept and one that they are unfamiliar with from their past experiences.</p>	<p>distributed for parents.</p> <p>Reducing the PAN for schools that have filled close to PAN in the past from pupils living further from the school would not unduly affect the percentage of pupils attending these schools who have English as an additional language.</p>	
Cumulative impact²³				
Assessment of overall impacts and any further recommendations²⁴				
<p>Reducing the number of surplus school places is necessary to safeguard the whole family of schools in the city and to protect schools from financial difficulties as pupil numbers reduce. Without a reduction in school places there is the real possibility that some schools become unable to operate due to low pupil numbers and are forced to close.</p> <p>In order to avoid schools closing and to ensure that there are sufficient school places in future when pupil numbers again increase, reducing the PAN for a number of schools is necessary for the benefit of all schools in the city. Reducing the number of places at oversubscribed schools will inevitably mean that some pupils who want to attend these schools will be refused a place. A higher percentage of late applications are for children from ethnic minorities and children with English as an additional language although the numbers are small. Late applications for oversubscribed schools are less likely to be offered a place.</p>				

Groups to assess	What do you know⁹? Summary of data about your service-users and/or staff	What do people tell you¹⁰? Summary of service-user and/or staff feedback	What does this mean¹¹? Impacts identified from data and feedback (actual and potential)	What can you do¹²? All potential actions to: <ul style="list-style-type: none"> • advance equality of opportunity, • eliminate discrimination, and • foster good relations
<p>To minimise the impact on these families of applying late more needs to be done to reach these families when reminding parents to apply for their child's school place.</p> <p>In considering the proposals it is important for the council to ensure that there are sufficient school places in all areas of the city for all pupils to attend a local school. The consultation brought forward a range of concerns about the impact of the proposals including the impact on the range of pupils and families able to attend the school and therefore the reflection of the city's demographic in the school community. There were concerns that certain groups would not be able to achieve the realisation of their preferred place especially when they lived further away from the school.</p>				

4. List detailed data and/or community feedback that informed your EIA

Title (of data, research or engagement)	Date	Gaps in data	Actions to fill these gaps: who else do you need to engage with? (add these to the Action Plan below, with a timeframe)
Admissions consultation sought views through the council's consultation portal and themes identified in series of virtual public meetings. Email and letter responses to the consultation also used to inform assessment.	5/10/20-27/11/20	Equalities monitoring questions in the consultation portal only completed by 13% of respondents.	
Feedback from EMAS Home, School Liaison workers	5/10/20-27/11/20		

133

--	--	--	--

5. Prioritised Action Plan²⁵

Impact identified and group(s) affected	Action planned	Expected outcome	Measure of success	Timeframe
NB: These actions must now be transferred to service or business plans and monitored to ensure they achieve the outcomes identified.				
Parents with disabled children or have a disability themselves may not be able to travel a distance to take their child to a school place	There needs to be sufficient places within a reasonable distance of families including those families who have someone with a disability living with them.	All families able to access a school within a reasonable distance	All families able to access a school within a reasonable distance	For September 2022
In some allocation years a higher percentage of pupils from ethnic minorities apply late or are directed to a school that was not a preference.	Important to ensure that there are some surplus places in each planning area so there are local school places available for any late applicants and to accommodate pupils who can't secure a place at their preferred school due to the distance tie break. Continue to work with EMAS to increase engagement with the admissions process for ethnic minority families.	Reduce any disadvantage for this group when applying for school places.	Increase in percentage of these pupils receiving a school of preference.	For September 2022
All schools identified for a reduction in PAN are community schools	The council will need to ensure that where PAN's are reduced	Sufficient secular school places for all families wanting this	Pupils are not directed to a voluntary aided school when this is not	For September 2022

and this could potentially have a disproportionate impact on pupils with no faith.	there are sufficient secular school places for the number of pupils in these areas.	type of education.	a preference.	
Some parents expressed a concern that the proposals to reduce the PAN of various schools will limit their opportunity to attend a school that they see as being supportive of them or their child's sexual orientation.	Schools are expected to celebrate the experiences of families in the city and from other areas. Therefore, the experiences of bisexual, gay and lesbian people will be known and understood even if the school's community is less diverse.	That parents don't feel limited in their range of school preferences due to concerns relating to them or their child's sexual orientation.	Not indicated by parents as a problem in the future.	For September 2022
Reducing the PAN for schools such as Downs and Brunswick which historically draw pupils from greater distances and admit close to the existing PAN could have a disproportionate effect on the ability of pupils eligible for free school meals able to obtain a place at these schools.	Ensure that there are sufficient school places in all areas of the city so that pupils unable to secure a place at the school of choice have the opportunity to attend a local school. Consideration of the potential impact on schools due to change in free school meals eligible children attending schools particularly in more deprived areas of the city.	That pupils are not forced to travel long distances to school.	That no pupils are forced to travel long distances to school.	For September 2022
Both Downs and Balfour schools draw a high percentage of	Important to ensure that there are some surplus places in each	That all pupils are able to attend a local school place.	That no pupils are forced to travel long distances to school.	For September 2022

<p>ethnic minority pupils living further from the school. If the PAN is reduced as proposed and these schools are oversubscribed, a higher percentage of pupils from ethnic minority families could be refused a place due to the distance tie break.</p>	<p>planning area so there are local school places available to accommodate pupils who can't secure a place at their preferred school due to the distance tie break.</p>			
---	---	--	--	--

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

Staff member completing Equality Impact Assessment: **Saul Johnson** **Date: 18.12.20**

Directorate Management Team rep or Head of Service/Commissioning: **Richard Barker** **Date: 21.12.20**

CCG or BHCC Equality lead: **Date:**

Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

² Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people in relation to their 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **advance equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by people due to their protected characteristics
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people
 - Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected within the context

The greater the impacts, the more thorough and demanding the process required by the Act will be.

⁴ **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

Do you need to complete an EIA? Consider:

- Is the policy, decision or service likely to be relevant to a specific group or groups (eg: older people)?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

⁵ **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

⁶ **ID no:** The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

⁷ **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

⁸ **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

⁹ **Data:** Make sure you have enough data to inform your EIA.

- What data relevant to the impact on specific groups of the policy/decision/service is available?⁹
- What further evidence is needed and how can you get it? (Eg: further research or engagement with the affected groups).
- What do you already know about needs, access and outcomes? Focus on each of the groups identified above in turn. Eg: who uses the service? Who doesn't and why? Are there differences in outcomes? Why?
- Have there been any important demographic changes or trends locally? What might they mean for the service or function?
- Does data/monitoring show that any policies or practices create particular problems or difficulties for any groups?
- Do any equality objectives already exist? What is current performance like against them?
- Is the service having a positive or negative effect on particular people in the community, or particular groups or communities?
- Use local sources of data (eg: JSNA: <http://www.bhconnected.org.uk/content/needs-assessments> and Community Insight: <http://brighton-hove.communityinsight.org/#>) and national ones where they are relevant.

¹⁰ **Engagement:** You must engage appropriately with those likely to be affected to fulfil the equality duty.

- What do people tell you about the services?
- Are there patterns or differences in what people from different groups tell you?
- What information or data will you need from communities?
- How should people be consulted? Consider:
 - (a) consult when proposals are still at a formative stage;
 - (b) explain what is proposed and why, to allow intelligent consideration and response;
 - (c) allow enough time for consultation;
 - (d) make sure what people tell you is properly considered in the final decision.
- Try to consult in ways that ensure all perspectives can be considered.
- Identify any gaps in who has been consulted and identify ways to address this.

¹¹ Your EIA must get to grips fully and properly with actual and potential impacts.

- The equality duty does not stop decisions or changes, but means we must conscientiously and deliberately confront the anticipated impacts on people.
- Be realistic: don't exaggerate speculative risks and negative impacts.
- Be detailed and specific so decision-makers have a concrete sense of potential effects. Instead of "the policy is likely to disadvantage older women", say how many or what percentage are likely to be affected, how, and to what extent.
- Questions to ask when assessing impacts depend on the context. Examples:
 - Are one or more groups affected differently and/or disadvantaged? How, and to what extent?
 - Is there evidence of higher/lower uptake among different groups? Which, and to what extent?
 - If there are likely to be different impacts on different groups, is that consistent with the overall objective?
 - If there is negative differential impact, how can you minimise that while taking into account your overall aims
 - Do the effects amount to unlawful discrimination? If so the plan must be modified.
 - Does the proposal advance equality of opportunity and/or foster good relations? If not, could it?

¹² Consider all three aims of the Act: removing barriers, and also identifying positive actions we can take.

- Where you have identified impacts you must state what actions will be taken to remove, reduce or avoid any negative impacts and maximise any positive impacts or advance equality of opportunity.
- Be specific and detailed and explain how far these actions are expected to improve the negative impacts.
- If mitigating measures are contemplated, explain clearly what the measures are, and the extent to which they can be expected to reduce / remove the adverse effects identified.
- An EIA which has attempted to airbrush the facts is an EIA that is vulnerable to challenge.

¹³ **Age:** People of all ages

¹⁴ **Disability:** A person is disabled if they have a physical or mental impairment which has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. The definition includes: sensory impairments, impairments with fluctuating or recurring effects, progressive, organ specific, developmental, learning difficulties, mental health conditions and mental illnesses, produced by injury to the body or brain. Persons with cancer, multiple sclerosis or HIV infection are all now deemed to be disabled persons from the point of diagnosis.

¹⁵ **Gender Reassignment:** A transgender person is someone who proposes to, starts or has completed a process to change their gender. A person does not need to be under medical supervision to be protected

¹⁶ **Pregnancy and Maternity:** Protection is during pregnancy and any statutory maternity leave to which the woman is entitled.

¹⁷ **Race/Ethnicity:** This includes ethnic or national origins, colour or nationality, and includes refugees and migrants, and Gypsies and Travellers. Refugees and migrants means people whose intention is to stay in the UK for at least twelve months (excluding visitors, short term students or tourists). This definition includes asylum seekers; voluntary and involuntary migrants; people who are undocumented; and the children of migrants, even if they were born in the UK.

¹⁸ **Religion and Belief:** Religion includes any religion with a clear structure and belief system. Belief means any religious or philosophical belief. The Act also covers lack of religion or belief.

¹⁹ **Sex/Gender:** Both men and women are covered under the Act.

²⁰ **Sexual Orientation:** The Act protects bisexual, gay, heterosexual and lesbian people

²¹ **Marriage and Civil Partnership:** Only in relation to due regard to the need to eliminate discrimination.

²² **Community Cohesion:** What must happen in all communities to enable different groups of people to get on well together.

²³ **Cumulative Impact:** This is an impact that appears when you consider services or activities together. A change or activity in one area may create an impact somewhere else

²⁴ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy.
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

²⁵ **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.